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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,682	09/25/2003	Masami Matsuura	243216US3 DIV	4417
22850 7590 12/18/2006 C. IRVIN MCCLELLAND OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER MAYO, TARA L	
			ART UNIT	PAPER NUMBER
			3671	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/18/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/669,682

Applicant(s)

MATSUURA ET AL.

Examiner

Tara L. Mayo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 12-18, 21, 23 and 26-28 is/are pending in the application.
- 4a) Of the above claim(s) 13, 17, 18, 21 and 23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 12, 14-16 and 26-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/854,472.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 through 4, 12, 14 through 16 and 26 through 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Bernier (U.S. Patent No. 4,004,536).

Bernier '536, as seen in Figures 23 and 24, a motion reduction apparatus for a floating body floating on water, said motion reduction apparatus comprising:
with regard to claim 1,

a plumb plate (355) which is provided on at least on a side of a floating main body (359) and is separated from the floating main body by a specific distance (as seen in Figure 24), and extends in a vertical orientation from a lowermost bottom surface of the floating main body;
with regard to claim 2,

wherein the plumb plate is supported at a specific location of the floating main body by means of a plurality of stay members (365) arranged on the floating main body so as to provide flow sections (375) that are surrounded by the floating main body, the plumb plate, and the stay members;

with regard to claim 3,

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wherein the floating main body is orthorhombic-shaped (i.e., the body has three-unequal axes positioned at right angles toward one another), and the plumb plate is provided on at least a wavefront side section along a longitudinal direction of the floating main body;
with regard to claim 4,

wherein the plumb plate is constructed so as to swing (via pivot 361) with respect to the floating main body;
with regard to claim 12,

a plate member (355) provided on a side of a floating main body (359), wherein an edge section of the plate member proximal to the floating main body is separated from the floating main body by a specific distance (as seen in Figure 24), and an upper edge (i.e., the top surface) of the plate member is oriented at substantially a same level as a lowermost bottom surface of the floating main body;
with regard to claim 14,

wherein the plate member is supported at a specific location of the floating main body by a plurality of stay members (365) arranged in parallel on the floating main body so as to provide flow sections (375) that are surrounded by the floating main body, the plate member, and the stay members;
with regard to claim 15,

wherein the floating main body is orthorhombic-shaped (i.e., the body has three-unequal axes positioned at right angles toward one another), and the plate member is provided along a longitudinal direction at least on either a left side section or a right side section of the floating main body (as seen in Figure 24);

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with regard to claim 16,

wherein the plate member is constructed so as to swing with respect to the floating main body (via springs 369);

with regard to claim 26,

a floating body (359) and a motion reduction apparatus (355) according to claim 1; and
with regard to claims 27 and 28,

wherein said plumb plate has a same longitudinal dimension as that of said floating main body.

Response to Arguments

3. Applicant's arguments filed 22 September 2006 have been fully considered but they are not persuasive.

In response to Applicant's statement that the plumb plate shown by Bernier '536 does not extend in a vertical orientation from the bottom surface of the floating body, the Examiner contends the claimed limitation is met by the prior art. Specifically, the plate (355) is positioned vertically below the bottom surface of the floating body.

In response to Applicant's statement regarding the separation of the prior art plumb plate from the bottom of the floating body as required by the claims, the Examiner contends that Bernier '536 clearly shows the separation of the plumb plate (355) from the bottom of the floating body in Figure 24. While the plate is connected at one end to a pivot (361), the opposing end is separated from the bottom of the body in an extended position.

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Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tara L. Mayo whose telephone number is 571-272-6992. The examiner can normally be reached on Monday through Friday 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on 571-272-6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

tlm

11 December 2006


TARA L MAYO
PATENT EXAMINER